



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#5

In Re Application: Larry V. Streepy, Jr.

Serial No. 09/829,461

Filed: April 9, 2001

For: METHOD AND SYSTEM FOR INTERFACING WITH A MULTI-LEVEL DATA STRUCTURE

## Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service, as First Class mail, in an envelope, with sufficient postage, addressed to: BOX: MISSING PARTS, Commissioner for Patents, Washington, D.C. 20231 on August 15, 2001.

Signature

Daniel Chelker

Typed or printed name of person signing certificate

BOX: MISSING PARTS  
Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

**RESPONSE TO NOTICE TO FILE  
MISSING PARTS OF APPLICATION**

In response to the Notice to File Missing Parts of Application mailed, May 15, 2001, a copy of which is returned herewith, Applicant respectfully submits this Response.

**Declaration**

As required by the Notice of Missing Parts of Application, Applicant hereby encloses an executed Declaration.

**Substitute Drawings**

Applicant respectfully submits corrected drawings (15 sheets) in compliance with 37 C.F.R. § 1.84(g).

**Request for One Month Extension**

Applicant herewith petitions the Commissioner to extend the time for Response to Notice

to File Missing Parts mailed May 15, 2001 for one month from July 15, 2001 to August 15, 2001.

**Required Fees**

Please charge the amount of \$65.00 to cover the declaration surcharge as set forth in 37 C.F. R. § 1.16(e) for a small entity in compliance with 37 C.F.R. § 1.27, the amount of \$40.00 to cover the assignment fee, and the amount of \$55.00 to cover the one month extension fee to Deposit Account No. 07-0153.

**Preliminary Amendment**

Attached hereto is a preliminary amendment that deletes all references to Figure 16 as required by the Notice to File Missing Parts (option III).

**Conclusion**

Applicant respectfully submits that all required parts for the application have now been filed and that no additional fees are required. It is believed that no other fees are necessary. However, if this is incorrect, the Commissioner is hereby authorized to deduct said fees from Deposit Account No. 07-0153.

Respectfully submitted,



Daniel J. Chalker  
Reg. No. 40,522

ATTORNEY FOR APPLICANT

Dated: August 15, 2001

GARDERE WYNNE SEWELL LLP  
3000 Thanksgiving Tower  
1601 Elm Street  
Dallas, Texas 75201-4761  
(214) 999-4785  
(214) 999-3785 (Fax)



UNITED STATES PATENT AND TRADEMARK OFFICE



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COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/829,461	04/09/2001	Larry V. Streepy JR.	121658-1000

**DOCKETED**  
*Notice of Omitted items*  
**Due 7/15/01**

CONFIRMATION NO. 8694

FORMALITIES LETTER



\*OC000000006075694\*

Gardere Wynne Sewell, LLP  
3000 Thanksgiving Tower  
1601 Elm Street, Suite 3000  
Dallas, TX 75201-4767

**DOCKETED**  
*Notice to Comply / Drawings*  
**Due 7/15/01**

Date Mailed: 05/15/2001

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

00/20/2001 SHINAGSA 00000000 070153 09029461  
01 FC:2001 05.00 CH

FILED UNDER 37 CFR 1.53(b)

**DOCKETED**

*Missing Parts/Corrections to Filing Receipt*  
**DUE 7/15/01**

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

The following item(s) appear to have been omitted from the application:

- Figure(s) 16 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

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*A copy of this notice MUST be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

**GARDERE**

attorneys and counselors ■ [www.gardere.com](http://www.gardere.com)  
August 15, 2001

Box: **MISSING PARTS**  
Commissioner for Patents  
Washington, D.C. 20231

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Direct Fax 214-999-3785  
[dchalker@gardere.com](mailto:dchalker@gardere.com)



Re: Patent Application Entitled: "Method and System for Interfacing with a Multi-level Data Structure"

Application No: 09/829,461  
Filed: April 9, 2001  
Our File No.: 121658-1000

Dear Sir:

Enclosed for filing in connection with the above-referenced patent application are the following documents:

1. Response to Notice to File Missing Parts;
2. Copy of Notice to File Missing Parts;
3. Preliminary Amendment;
4. Declaration and Power of Attorney;
5. Assignment Recordal Form;
6. Assignment;
7. Substitute Drawings (15 sheets);
5. Information Disclosure Statement;
6. Form PTO 1449 with fifteen (15) references; and
7. Postcard.

Please file the above-referenced documents and return the date-stamped postcard to our office at the above address. The Commissioner is hereby authorized to charge the amount of \$160.00 and any additional fees which may be required by this paper to Deposit Account No. 07-0153.

In the meantime, if you have any questions or comments concerning any of the above, please call the undersigned at your convenience. Otherwise, please accept the enclosed.

Respectfully submitted,  
Gardere Wynne Sewell LLP

Daniel J. Chalker  
Reg. No. 40,552  
DJC/hh

Enclosures